

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CALYPSO WIRELESS, INC.,
DRAGO DAIC, & JIMMY WILLIAMSON, P.C.,

Plaintiffs-Counterclaim Defendants,

v.

T-MOBILE USA, INC.,

Defendant-Counterclaim Plaintiff.

Case No. 2:08-CV-441-JRG-RSP

Jury Trial Demanded

**JOINT MOTION TO MOVE MARKMAN HEARING
FROM SEPTEMBER 10, 2012 TO OCTOBER 17, 2012**

Plaintiffs Calypso Wireless, Inc., Drago Daic, and Jimmy Williamson, P.C. (collectively, “Plaintiffs”), and Defendant T-Mobile USA, Inc. (“T-Mobile”), by and through their respective attorneys, respectfully submit this joint request to reschedule the Markman hearing in this case from Monday, September 10, 2012 to Wednesday, October 17, 2012, stating as follows:

1. Pursuant to the May 17, 2012 Docket Control Order (D.I. 192), the Markman Hearing in this case is scheduled to take place at 9:00 AM on Monday, September 10, 2012.
2. Due to conflicts on the part of counsel for T-Mobile and T-Mobile, rendering them unavailable on September 10, 2012, counsel for the parties previously met and conferred regarding moving the Markman hearing to September 11, 2012, which the parties understood was a date available for the Court. Due to conflicts of their own, however, Plaintiffs were unable to accommodate T-Mobile’s request that the hearing be moved to September 11, 2012.
3. In addition, Plaintiffs’ claim construction expert, Dr. Ahmed Tewfik, has been traveling overseas during the period that the parties have been briefing claim construction and

has been unavailable for an in person deposition in the United States. Postponing the Markman hearing will provide the parties with more time to schedule the deposition of Dr. Tewfik in advance of the Markman hearing.

4. Claim construction briefing is now complete, with the exception of any further briefing that may be agreed to or allowed by the Court for addressing any new matter arising from the deposition of Dr. Tewfik.

5. Accordingly, in order to accommodate T-Mobile's scheduling conflict and provide the parties with time to arrange for the deposition of Plaintiffs' expert, the parties have met and conferred regarding the claim construction hearing and hereby jointly move that the Court reschedule the hearing for Wednesday, October 17, 2012.

6. Accordingly, the parties hereby make a joint motion to reschedule the Markman hearing from September 10, 2012 to October 17, 2012.

August 31, 2012

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on August 9, 2012.

/s/Anne Champion

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel for plaintiffs Calypso Wireless, Inc., Drago Daic, and Jimmy Williamson, PC, and counsel for Defendant T-Mobile USA, Inc. met and conferred regarding this joint motion and agreed upon its submission.

/s/Anne Champion

* With permission by Anne Champion.